

REMARKS

Claims 1 and 2 are pending. Claim 1, the only independent claim, has been amended. Claims 3-9 have been cancelled without prejudice. Favorable reconsideration is requested.

Claims 1, 2 and 6-9 were rejected under 35 U.S.C. § 102(e) over U.S. Patent 6,516,193 (Salmela et al.). Claims 3-5 were rejected under 35 U.S.C. § 103 over Salmela et al. in view of U.S. Patent 6,097,937 (Sawyer).

Support for the amendments to claim 1 can be found at least in previous claims 3-5, and the specification and drawings at, e.g., page 13, lines 20-28 and Fig. 7.

Amended claim 1 recites, inter alia, that the mobile communication network of the system includes a database for storing information as to whether or not a specific use identification signal is sent, and a discount rate calculation unit that calculates a charge discount rate of a user of the base station on the basis of whether the user has used information on the base station stored in the database. The discount rate calculation unit increases the charge discount rate of the user of the base station as the total time for sending the specific use identification signal becomes shorter or as the usage time or the amount of using packet of a general user other than the user of the base station becomes larger.

The Office Action, at page 9, lines 6-13, took the position that various portions of Col. 12, lines 18-43 of Salmela teach this feature, previously recited in claim 5. Applicants strongly disagree.

The cited portion of Salmela discloses that “only the *call charge changes* if the *mobile station leaves the special cell area*,” (col. 12, lines 20-22) that “the display of his mobile telephone on which a *text informing of the charge change* is shown,” (col. 12, lines 23-25) that “[t]he *call change can be indicated* either directly or indirectly,” (col. 12, lines 25-26) that “[w]hen the *call charge goes up*, the user perhaps decides that he finishes the call soon, but the call is not cut off

automatically,” (col. 12, lines 30-32) and that “*a call originating from the mobile station is not maintained in the area with higher charges.*” (col. 12, lines 33-35). Emphasis added.

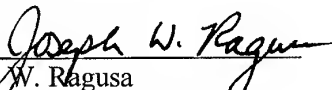
However, applicants have found no teaching or suggestion in Salmela of a *discount rate calculation unit that increases the charge discount rate of the user of the base station as the total time for sending the specific use identification signal becomes shorter or as the usage time or the amount of packet use of a general user other than the user of the base station becomes larger*, as recited in amended independent claim 1. In fact, applicants have found no teaching at all of the recited charge discount rate in Salmela.

Sawyer is not believed to remedy this deficiency of Salmela as a reference against independent claim 1. For at least this reason, independent claim 1 is believed to be patentable over Salmela and Sawyer, taken individually or in combination. Dependent claim 2 is believed patentable for at least the same reasons as claim 1.

In view of the above amendments and remarks, applicants believe the pending application is in condition for allowance and entry of the amendment is respectfully requested.

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Respectfully submitted,

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